Previous references.

1912
~~190~~
(Courts)

File No. 248-12

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for April 13

SUBJECT.

Overpayment made by Krishna Murthi Rao ~~Asst~~ Sale Nazir
of the Principal Munsiff's Court.

---

1) From the Registrar, Chief Court, No 3420/240 dt 26-3-13
Makes a report on the above subject

2) To the Registrar, Chief Court No 3055 dt 14-4-13
Passes orders on the report.

G. R. S. 58

A. Sadasivan
2015/13

G.R.S. 11] 1912-13

GENERAL AND REVENUE SECRETARIAT.

(~~Courts~~)

NOTES

File No. 2484
1912-13

FILE HEADING.

Overpayments made by the late Nazir Krishnamurthi Rao of the Principal Munsiff's Court, Bangalore.

From

The Registrar, Chief Court

No. 3420/240 Dated 26/27·3·1913 Received 28·3·1913

Diary No. J2705	Enclos.	Spare Copies.	Serial No.1

BRIEF ABSTRACT OF LETTER.

Reports, for the information of Govt., certain wrongs and overpayments, amounting to Rs 2908-2-9, made by the late Nazir Krishnamurthi Rao, and states that the amount was received from him in full and the accounts adjusted, and adds that the Judges of the Chief Court think that the case is not a fit one for criminal prose-cution

NOTES AND ORDERS.

Paper under disposal

The Registrar's letter gives the facts of the case in detail. The Chief Court consider that no further action need be taken in the matter.

Submit for orders.

KG-129 SW
29/3/13

2. The Nazir has made good the

NOTES—First Sheet.

GPB—30,000—12-8-11

Serial No.

the deficient amount & has been dismissed pun service. The Dt. Judge states that there was no dishonest intention on his part which would necessarily have to be proved if he is criminally prosecuted.

3 The Chief Court's recommendation may be accepted

Dr Seal)
1st Councillor)

SDN 31/3
Dy Secy 31/3
SA 31/3

4) The recommendation may be accepted.

5) The occurrence of such cases shows that the work of Officials of Courts who deal with money often of considerable amount is not properly supervised in cases by the presiding Officers. A circular should be issued by the Chief Court drawing the particular attention of Judges & Magistrates to this important part of their duties

NOTE—Contn. sheet.

Serial No.

showing that by neglect of it, various persons have been held personally liable to make good large sums of money lost by defalcation, and that such liability will in all cases be enforced by Govt.

1/4/13

2/4

6) Draft accordingly

2/4

No 3/4

7) Subd with a draft

Kg.-129

3/4/1913

Dy Secy) 5/4

6) Draft as per 1st Councillor's observations put up.

1st Councillor)

Draft'g Clerk 7/4

9 Draft appd by 1st Councillor 5/4

8.4.13

13 7/4

9/4 Draw 9/4

9/4

2705 4

G. R. S. 12]

General and Revenue Secretariat.

C.S. File No. 248 of 1912

Serial No.	
2	To the Regr Ch. Ct. No J 3055 dated 14-4-13 Agrees with the Chief Court that no action need be taken against the official; but requests that a circular may be issued drawing the particular attention of the Judges and Magistrates to the important duty of supervising the work of officials dealing with money, for the neglect of which several Judges in the past have been held personally liable to make good large sums of money lost by defalcation.

NOTE—Contn. sheet.

GII—65,000—17-C-12.

CHIEF COURT OF MYSORE.

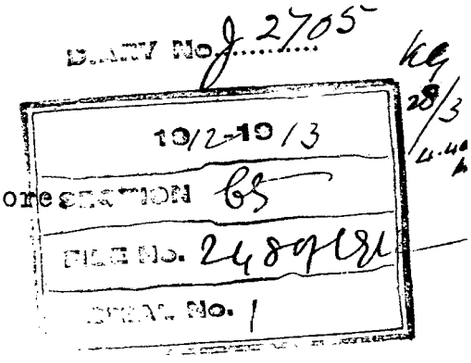
No: 3420/240

Bangalore, dated 26th March 1913.

24/3/13

From,

The REGISTRAR of the
Chief Court of Mysore.



To,

The SECRETARY to the Govt: of Mysore,
General and Revenue Departments.

S i r,

I am directed to report, for the information of Government, the following facts in connection with certain over payments made by the late Nazir Krishna Murti Rao of the Principal Munsiff's Court, Bangalore.

2. In the course of his inspection of the said Nazir's registers in July 1911, the Principal Munsiff of Bangalore found that the Nazir had not correctly written up the ledger for 1910-11 and that some overpayments of witness batta had been made. In order to find out the actual amount of such over payments he got a proper ledger prepared from the 1st July 1910 by deputing two clerks of his Court for that purpose. It was then found that there was a difference of Rs. 1,765-10-10 between the actual balance shewn in the cash book and the balance according to the ledger. The Munsiff was of opinion that these over

overpayments were due to gross carelessness on the part of the Nazir who failed to post the necessary enrtries in the ledger from day to day and to verify them before he made payments to the witnesses; and he accordingly ordered the Nazir to make good the deficient amount and this the Nazir did without difficulty as he belonged to a respectable family in Pogalur near Karur, Trichinopoly District, and owned considerable properties there.

The defective state of the accounts having naturally roused his suspicions, the Munsiff made a further scrutiny into the accounts of the previous months, i.e., from 1st January to 30th June 1910. This brought to light the fact of there being a further deficit of Rs. 855-7-5 and this amount also the Nazir made good.

Then with a view to make sure that there were no more irregular or wrong payments on the part of the Nazir, the Munsiff wanted the help of a trained auditor and the auditor of Civil Courts was accordingly deputed to make a thorough examination of the accounts. His report showed that the total amount of wrong payments and overpayments made by the Nazir was Rs. 2908-2-9. This amount also, as appears from the report of the District Judge, was recovered from the Nazir, and the accounts

have now been fully adjusted. Notwithstanding that the Nazir paid all the above amounts, the Munsiff thought ~~that~~ it would be ~~xxxx~~ undesirable to continue Krishna Murti Rao in service and he accordingly recommended that he should be dismissed the service, and the District Judge has in pursuance of the said recommendation dismissed him.

As the amount of the deficit was rather large, this Court called for a report from the District Judge as to why the official ~~should~~ in question should not be prosecuted criminally. From the reply received from the District Judge, it appears that both he and the Munsiff are of opinion that there was no dis~~xxxxxx~~ honest intention on the part of Krishna Murti Rao to embezzle any moneys and that in making payments as he did he was guilty of nothing more than gross carelessness, for which he has been sufficiently ~~xx~~ punished.

The Judges of the Chief Court agree with the above opinion and consider that the case is not a fit one for criminal prosecution and that therefore no further action need be taken in the matter.

I have the honour to be,

Sir,

Your most obedient servant,

Registrar

N.G.

G.R.S. 28]

*Diary No. of letter replied to*_____

GENERAL AND REVENUE SECRETARIAT.
( )

the 191

Date of issue 14.4.13

Signed by Mr. S.P. Rajagopalachari

File No. 2484 (1912-13)
Serial No. 2

Proceedings of the Government of His Highness the Maharaja of Mysore

READ—

Letter no. 3420/2401 dt the 26th Mar 13 from the Registrar, Chief Court, reporting certain ~~long~~ arrangements amounting to Rs 2908-2-9, made by Krishnamurti Rao, late ~~ORDER THEREON. No.~~ Nazir of the Principal Munsiffs' Court, Bangalore, and stating that the amount was received from him in full and the accounts adjusted

J 3055/dt 24812-2 Order thereon:- No

P.T. over.

SUBJECT.

The Chief Court recommend in the letter read above that no further action need be taken in the matter, as the official has been found guilty of nothing more than gross carelessness and dismissed from the public service ~~for which he has sufficiently been punished by being dismissed the service~~. In accepting the recommendation made by the Chief Court, Govt are constrained to observe that the work of the officials of Courts who deal with money, often of considerable amount, is not properly supervised by the presiding officers, as the frequent occurrence of embezzlements or over-payments ~~such cases~~ therefore is requested shows. The Chief Court ~~will be~~ ~~good enough~~ to issue a circular drawing the particular attention of Judges and Magistrates to this important part of their duties, for ~~drawing that by~~ neglect of which in the past several judges have been held personally liable to make good

GPB--20,000--2-10-11

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

large sums of money lost by
in pursuing upon their
defalcation, and that such
liability will in all cases be
strictly
enforced by Govt.

Ag Sec to Govt
DMW 8/4

To The Registrar, Chief Court
~~The Comptroller, Imperial Govt~~

Reg. - 1291
3/4/13

Subject to approval
of Secretary of State

8/4/13

8/4/13